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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION**

**Teri Lynn Hinkle
Plaintiff**

vs

AFNI INC

Case No CV 311-057

Judge: Dudley H. Bowen Jr.

**PLAINTIFF'S MEMORANDUM IN
SUPPORT OF MOTION FOR VOLUNTARY DISMISSAL**

Plaintiff asks the court to dismiss her suit against Defendant, as authorized by Federal Rule of Civil Procedure 41(a)(2).

A. INTRODUCTION

1. Plaintiff is Teri Lynn Hinkle; defendant is AFNI INC. On June 16, 2011 plaintiff sued defendant for violation of the FCRA

2. Plaintiff asks the court to dismiss her suit because after consideration of the magistrate's recommendations Plaintiff finds that it is in the best interest of all parties, including the court, for her to proceed more slowly in her litigation and better define the causes of action that are presented to the court in her pursuit of justice.

B. ARGUMENT

3. The court may grant a motion for voluntary dismissal if the dismissal will not unfairly prejudice the non-movant. Fed. R. Civ. P. 41(a)(2); *Elbaor v. Tripath Imaging, Inc.*, 279 F.3d 314, 317 (5th Cir. 2002).

4. Plaintiff seeks a dismissal because the magistrate's recommendations bring into question the wisdom of Plaintiff filing multiple lawsuits at the same time and Plaintiff chooses to pursue limited litigation so as to be diligent in her efforts before the court.

5. Plaintiff requests that the dismissal be without prejudice to re-filing the suit because Plaintiff will re-file in the future to show the court there is sufficient grounds to file a claim upon which relief can be granted in her complaint.

6. Plaintiff fully believes she has a legitimate cause of action against the Defendant and will better state and present her cause of action in future pleadings before this court when appropriate.

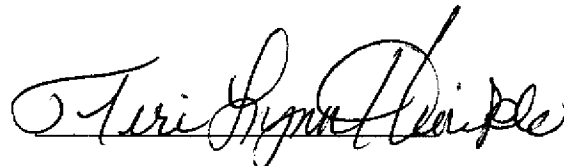
7. Defendant will not be prejudiced by the dismissal. *Elbaor*, 279 F.3d at 317. The dismissal will not deny defendant any defense to which it is entitled, *Ikospentakis v. Thalassic S.S. Agency*, 915 F.2d 176, 177 (5th Cir. 1990). }

8. Defendant has not been served or filed a counterclaim.

C. CONCLUSION

9. Plaintiff's motion to dismiss when granted will enable Plaintiff to re-file her complaint at such time in the future as is appropriate in order to not waste the court's resources and to comply with the recommendations of the magistrate in this matter as to a statement of claim upon which relief can be granted. For these reasons, plaintiff asks the court to dismiss the suit without prejudice.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Teri Lynn Hinkle". The signature is written in dark ink and is positioned above the printed name.

Teri Lynn Hinkle

322 Bethel Street

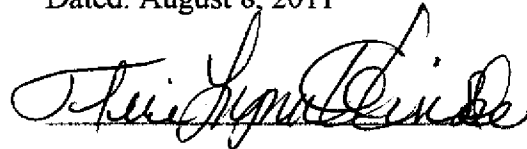
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